

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2010-109379-009 SE

07/28/2010

HON. RANDALL H. WARNER

CLERK OF THE COURT

C. Danos

Deputy

STATE OF ARIZONA

JOSEPH WILLIAM WATERS

v.

DESIRAE M VALENZUELA (009)

DOB: 10/19/1985

CANDICE SHOEMAKER

APO-SENTENCE IMPRISON-SE

APPEALS-CCC

AZ DOC

DISPOSITION CLERK-CSC

VICTIM SERVICES DIV-CA-SE

SENTENCE OF IMPRISONMENT

8:46 a.m. This is the time set for Sentencing.

State's Attorney: Shane Miller for Joseph William Waters

Defendant's Attorney: Candice Shoemaker

Defendant: Present

Court Reporter: Marmie Guimont

Norma Salazar addresses the Court.

Count(s) 1: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 1 Aggravated Taking Identity of Another

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Class 3 Felony with one prior felony conviction  
A.R.S. § 13-2009, 2001, 701, 702 and 801  
Date of Offense: November 14, 2009  
Non Dangerous - Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

Count 1: 4.5 year(s) from July 28, 2010  
Presentence Incarceration Credit: 159 day(s)  
Minimum  
Sentence is concurrent with CR2008-127830-001.

Pursuant to A.R.S. § 13-604, the Court finds that the Defendant has been convicted of the following prior felony offenses:

Theft, a class 6 Felony non-dangerous felony committed on December 17, 2006 and convicted on December 16, 2008 in CR2008-127830 Maricopa County Superior Court.

Community Supervision: Count 1 - Waived pursuant to A.R.S. § 13-603(K) and 41-1604.07(D), due to the term of probation in CR2010-030680-001.

In the event the Defendant is released by the Department of Corrections on a temporary release basis pursuant to A.R.S. §31-233, and a term of Community Supervision has been waived pursuant to A.R.S. §13-603(K), the length of probation shall be extended to include the time of Defendant's temporary release, pursuant to A.R.S. §13-901(B).

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes and pay the applicable fee for the cost of that testing in accordance with A.R.S. § 13-610.

IT IS ORDERED authorizing the Sheriff of Maricopa County to deliver the Defendant to the Arizona Department of Corrections to carry out the term of imprisonment set forth herein.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this Order or the Order of Confinement together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

The Court retains jurisdiction for any future restitution hearings.

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9:09 a.m. Matter concludes.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>

ISSUED: Order of Confinement - Certified Copy to DOC via MCSO

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ HON. RANDALL H. WARNER  
JUDGE OF THE SUPERIOR COURT

(right index fingerprint)